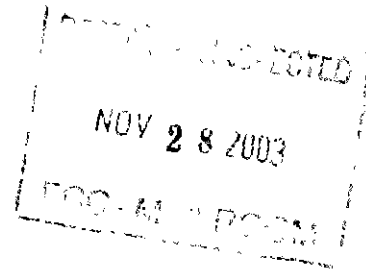


DOCKET FILE JCP / ORIGINAL



November 26, 2003

Ms. Marlene Dortch  
Office of the Secretary  
Federal Communications Commission  
445 12 Street, SW  
Washington, D.C. 20554

Re: Petition for Rule Making  
Rising Star, Texas

Dear Ms. Dortch:

Enclosed is an original and four (4) copies of my  
Petition for Rule Making to add Channel 290C3 at Rising  
Star, Texas.

Respectfully submitted,

A handwritten signature in black ink, appearing to be "Charles Crawford", written over a horizontal line.

Charles Crawford  
4553 Bordeaux Ave.  
Dallas, Texas 75205  
(214) 520-7077 Tele  
(214) 443-9308 Fax

No of Copies rec'd C+4  
CODE 717-1111  
63-444

RECEIVED & INSPECTED  
NOV 28 2003  
FCC - MAILROOM

To: John Karousos, Assistant Chief  
Audio Division of the  
Media Bureau

Pursuant to 47 C.F.R. 1.401, Charles Crawford respectfully petitions the FCC to institute a Rule Making proceeding to amend the FM Table of Allotments to add Channel 290C3 at Rising Star, Texas.

Petitioner respectfully submits that the public interest would be served by allocating Channel 290C3 to Rising Star, Texas as that community's first local FM service. Rising Star is an incorporated city with a population of 835 people and 53 businesses that have been given a credit rating by Dun & Bradstreet as of the last quarter of 2000 according to the Texas Almanac 2002/ 2003. Rising Star has a General Law Type A government with six

councilmen, including own mayor Earl Harris. Rising Star has its own elementary, junior high and high school with a student population of 240 students. The proposed channel 290C3 will provide additional diversity and an outlet for local self-expression to Rising Star residents and therefore is in the public interest.

Attached hereto is a channel study confirming that Channel 290C3 can be allocated to Rising Star, Texas, consistent with the FCC's FM separation rules. See revision of FM Assignment Policies and Procedures, 90 FCC 2d 88 (1992). (See, Attachment A) Note: Channel 290C3 at Rising Star, Texas and Channel 290C2 at Baird, Texas were dismissed by Report & Order, DA 03-3746, released November 26, 2003. (See, Attachment B)

Reference coordinates for Rising Star, Texas are:

32 05 54 N  
98 58 00 W

Should this petition be granted, and Channel 290C3 be allotted to Rising Star, Texas Petitioner will apply for Channel 290C3, and after it is authorized, will promptly construct the new facility.

The factual information provided in this Petition for Rule Making is correct and true to the best of my knowledge.

Respectfully submitted,



---

Charles Crawford  
4553 Bordeaux Ave.  
Dallas, Texas 75205  
(214) 520-7077 Tele  
(214) 443-9308 Fax

cc: Gene A. Bechtel, Law Office of Gene Bechtel, Suite  
600, 1050 17<sup>th</sup> Street, N.W., Washington, D.C. 20036,  
telephone (202) 496-1289, telecopier (301) 762-0156,  
attorney for Charles Crawford. It is requested that the  
Commission and any parties who may file pleadings in the  
captioned matter serve copies to Mr. Bechtel as well as  
Charles Crawford.

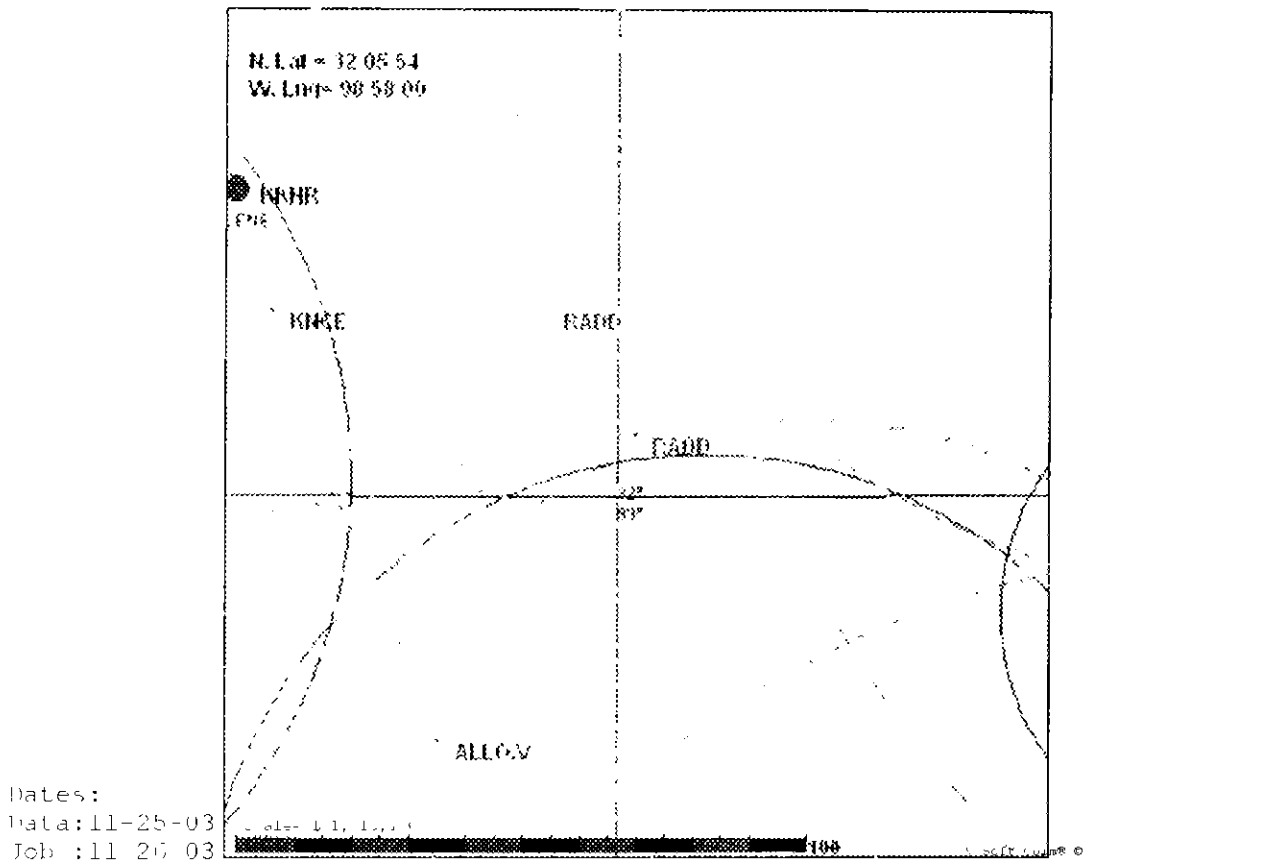
November 26, 2003

RisingStar

## **Attachment A**

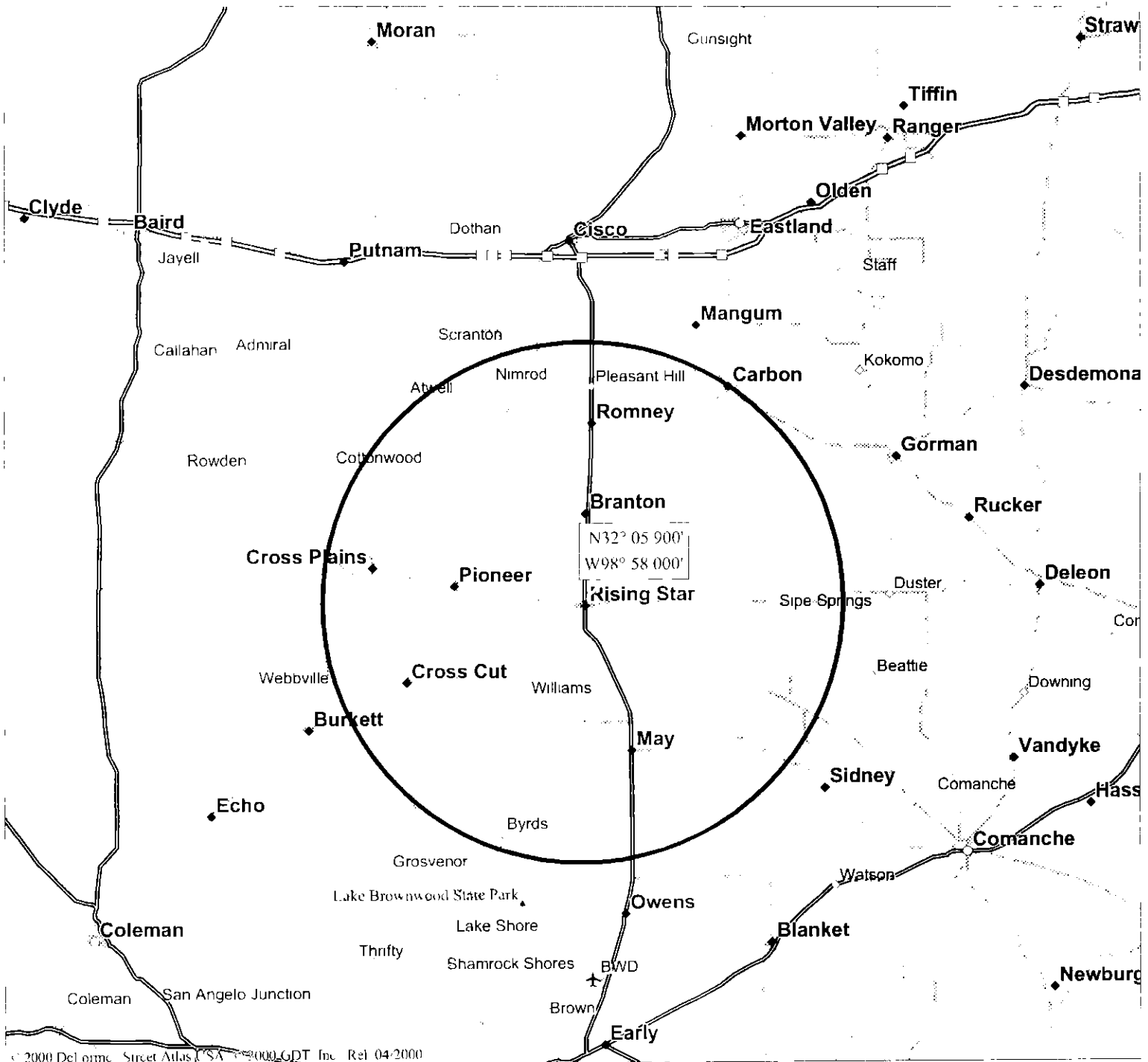
(Channel Study for Channel 290C3 at Rising Star)

FM PROSP<sup>TM</sup> LOCATE STUDY CH 290 C3 105.9 MHz



Call	CH#	Type	Location		D-KM	Azi	FCC	Margin
RADD	290C3	ADD	Rising Star	TX	0.00	0.0	153.0	-153.00
RADD	290C2	ADD	Baird	TX	26.37	323.3	177.0	-150.63
KBALFA	291A	APP-Z	San Saba	TX	92.34	160.1	89.0	3.34
RADD	291A	ADD	Richland Springs	TX	93.44	172.4	89.0	4.44
KBALFM	291A	LIC	San Saba	TX	103.44	166.7	89.0	14.44
RDEL	291A	DEL	San Saba	TX	103.44	166.7	89.0	14.44
KRNB	289C	LIC N	Decatur	TX	194.04	42.1	176.0	18.04
ALLO.V	288C3	VAC	Santa Anna	TX	62.76	213.6	43.0	19.76
KHKS	291C	LIC	Denton	TX	195.85	73.3	176.0	19.85
RDEL	290A	DEL	Rotan	TX	163.80	301.2	142.0	21.80
ALLO.V	290A	VAC	Rotan	TX	163.80	301.2	142.0	21.80
KKHR	292C2	LIC	Abilene	TX	81.28	301.3	56.0	25.28
KNCE	236C1	LIC N	Baird	TX	67.16	288.2	24.0	43.16
KFMK	290C2	LIC N	Round Rock	TX	226.08	150.3	177.0	49.08
RADD	289A	ADD	Robert Lee	TX	139.33	266.6	89.0	50.33
KMDX	291C2	LIC N	San Angelo	TX	168.64	244.5	117.0	51.64
960826	289C2	CP	Mason	TX	174.83	185.1	117.0	57.83
RDEL	289C2	DEL	Mason	TX	174.83	185.1	117.0	57.83
RADD	293A	ADD	Cranfills Gap	TX	110.44	106.1	42.0	68.44
KQTZ	290C*	LIC	Hobart	OK	308.99	354.5	237.0	71.99

# Rising Star, TX CH 290C3 70 dBu



© 2000 Delorme Street Atlas & SA © 2000 GDT Inc. Rel 04/2000

Mag 10 00

Wed Nov 26 15 11 2003

Scale 1 500,000 (at center)

10 Miles

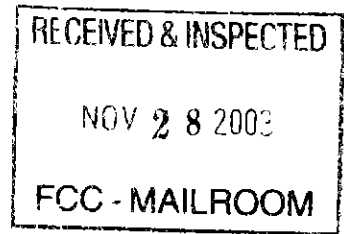
10 KM

**Attachment B**

(Report & Order for MB Docket No. 03-175)



Before the  
Federal Communications Commission  
Washington, D.C. 20554



In the Matter of )

Amendment of Section 73.202(b) )  
FM Table of Allotments, )  
FM Broadcast Stations )  
(Rising Star, Texas) )

MB Docket No. 03-175  
RM-10719

**REPORT AND ORDER**  
**(Proceeding Terminated)**

**Adopted: November 21, 2003**

**Released: November 26, 2003**

By the Assistant Chief, Audio Division

1 The Audio Division has before it a *Notice of Proposed Rulemaking*<sup>1</sup> issued at the request of Charles Crawford ("Crawford"), requesting the allotment of Channel 290C3 at Rising Star, Texas. Crawford filed late comments expressing his interest in the allotment of Channel 290C3 at Rising Star. Katherine Pyeatt ("Pyeatt") filed a counterproposal proposing a Channel 224C3 allotment at Gustine, Texas. No other comments were filed in response to the *Notice*. For the reasons discussed below, we are dismissing both the underlying proposal for a Channel 290C3 allotment at Rising Star and the counterproposal for a Channel 224C3 allotment at Gustine.

2 Crawford's comments were received at the Commission after the initial comment deadline unaccompanied by a motion to accept. It is the responsibility of the party submitting comments to ensure that documents are delivered to the Commission on time.<sup>2</sup> Paragraph 2 of the *Appendix to the Notice of Proposed Rule Making* clearly states that a rulemaking petitioner is expected to file a continuing expression of interest by the initial comment date. Since Crawford's comments were not accompanied by a request for late acceptance and did not contain an explanation for filing after the initial comment date, we will not accept his late-filed expression of interest. Moreover, in view of the filing of a timely counterproposal herein, we cannot consider Crawford's untimely expression of interest. Therefore, having determined that the initial comments of Crawford are deficient, and no other parties have stated an interest in an allotment at Rising Star, Texas, no further consideration will be made with regard to an allotment at Rising Star.

3 We are also dismissing the counterproposal for Channel 224C3 at Gustine, Texas. In order to accommodate this allotment, Pyeatt proposed a series of channel substitutions, including the substitution of Channel 287A for Channel 288A at Coahoma, Texas. However, the proposed Channel 287A allotment at Coahoma is short-spaced to the licensed site of Station KTXC, Channel 284C1.

<sup>1</sup> See *Rising Star, Texas*, 18 FCC Red 15402 (MB 2003).

<sup>2</sup> See *Gosnell and Osceola, Arkansas; Germantown and Ripley, Tennessee*, 4 FCC Red 6170 (MMB 1989).

Lamesa, Texas, and cannot be considered.<sup>3</sup>

4 IT IS ORDERED. That the petition for rule making filed by Charles Crawford, proposing  
the allotment of Channel 290C3 at Rising Star, Texas, IS DISMISSED

5 IT IS FURTHER ORDERED. That the Counterproposal filed by Katherine Pyeatt IS  
DISMISSED

6 For further information regarding the proceeding listed above, contact Kathleen Scheuerle,  
(202)418-2180

7 IT IS FURTHER ORDERED. That this proceeding IS TERMINATED

FEDERAL COMMUNICATIONS COMMISSION

John A. Karousos  
Assistant Chief, Audio Division  
Media Bureau

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<sup>3</sup> See 47 C.F.R. §73.208